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**LATHAM & WATKINS** LLP

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August 19, 2022

**VIA ECF**

The Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
U.S. District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**MEMORANDUM ENDORSED**

Re: *Schansman et al. v. Sberbank of Russia PJSC et al.*, Case No. 19-cv-2985-ALC-GWG; Counsel for VTB Bank PJSC's Letter Regarding its Motion for Leave to Withdraw

Dear Judge Gorenstein:

Latham & Watkins LLP ("Latham") writes with respect to its Motion for Leave to Withdraw as counsel for VTB Bank (PJSC) ("VTB"). (Dkt Nos. 316, 317). On April 19, 2022, Latham filed a Motion for Leave to Withdraw as counsel for VTB. (*Id.*). On May 2, 2022, the Court (i) conditionally granted the motion, and (ii) provided VTB until June 2, 2022 for a new attorney to file a notice of appearance. (Dkt. No. 333).

On June 2, 2022, VTB requested an extension of that deadline until June 15, 2022. (Dkt No. 342). In its request, VTB noted that it had recently come to an agreement-in-principle with Marc Agnifilio and Zach Intrater of Brafman & Associates P.C. ("Brafman"), but the logistics of finalizing that engagement were taking longer than anticipated due to the Russia-related sanctions regime in the United States. (*Id.*). The Court granted that request on June 3, 2022. (Dkt No. 350). Since that time, VTB has requested six additional extensions, each of which the Court granted, effectively extending the deadline for VTB's new counsel to appear to today, August 19. (*See* Dkt Nos. 358, 360, 367, 373, 382, 401, 405, 406, 410, 412, 417, 419).

As detailed in the attached declaration, Brafman has been unable to identify a path forward to representing VTB. Despite repeated attempts, Brafman has been unable to find a financial institution willing to accept funds relating to Brafman's representation of VTB, and has been unable to find another law firm who can represent VTB instead of, or alongside, Brafman.

**LATHAM & WATKINS** LLP

Consistent with the Court's May 2, 2022 order conditionally granting Latham's Motion to Withdraw as attorneys for VTB (Dkt. No. 333), Latham will provide to Plaintiffs a sworn statement that provides the names of each person that it has been in contact with from VTB regarding this matter, as well as their corresponding contact information. Latham will then file a sworn statement to the Court, attesting that we have provided this information to Plaintiffs.

Respectfully submitted,

/s/ Christopher R. Harris  
Christopher R. Harris

cc: All Counsel of Record (via ECF)

The motion of Christopher R. Harris, Thomas J. Heiden, and Zachary L. Rowen to withdraw (Docket # 316) is granted. Because it is not represented by an attorney, VTB Bank PJSC is now in default. Plaintiff may obtain a certificate of default and make an application for a default judgment against VTB Bank PJSC to Judge Carter at any time.

So Ordered.

  
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GABRIEL W. CORENSTEIN  
United States Magistrate Judge

August 22, 2022